IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 18750 of 1995

Between:

1. Samineni Satish Kumar Commission merchant,

Prop: S. Sathishkumar, S/o Ramachandraiah,
D.No;4-1-138, Mustafanagar, Khammam.
2. Kondaparthy Kondal Rao Commission merchant,

Prop: K. Kondal Rao, S/o Venkatappaiah, R/o Chegomma village, Osmanchi Mandal, Khammam District.

..... PETITIONERS

AND

1 Government of A.P rep. by Secretary,
Agriculture and Co-operation (MKTG-I) Dept.,
Secretariat buildings, Hyderabad.
2 Chairman & Selection Grade Secretary,

Agriculture Market Committee,
Khammam District, Khammam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ or order or direction one in the nature of writ of Mandamus declaring that the G.O.Ms.No. 190 dt; 6-4-1994, Agriculture & Co-operation (MKTG-I) Dept., imposing conditions to grant licence to deposit a sum of Rs.20,000/- as security deposit by the respondents is arbitrary, illegal and violative of Article 14 of the Constitution of India.

For the Petitioners: MR. G. RANA PRATAP, Advocate

For the Respondent No.1: G.P. for Agriculture

For the Respondent No.2: Smt. Nanda Ramachandra Rao,
(SC FOR AGRL.MRKTING)

The Court made the following :

ORDER:

This writ petition is filed, seeking to declare that the G.O. Ms.No.190 Agriculture and Co-operation (MKTG-I) Dept., dated 6-4-1994, imposing conditions on the commission agents to deposit a sum of Rs.20,000/- as security deposit, is illegal and violative of Article 14 of the Constitution of India.

It is submitted by the learned Standing Counsel for the second respondent-Agriculture Market committee and admitted to by the learned counsel for the petitioner that the subject matter of this writ petition is squarely covered by the judgment of this Court (W.P. No.9066 of 1994, dated 18-03-1996) in **Bhavani Commission and General Merchant v. State of A.P.,** wherein this Court elaborately considered the matter and dismissed the writ petition.

In the circumstances, following the above judgment, this writ petition is also dismissed for the same and similar reasons. No costs.

N.V. RAMANA, J

Date: 20-09-2004

Svv

To

1. The Secretary, Agriculture and Co-operation (MKTG-I) Dept., Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2. The Chairman & Selection Grade Secretary, Agriculture Market Committee, Khammam District, Khammam.

3. Two CCs. to Govt. Pleader for Agriculture, High Court Buildings, Hyderabad (OUT).
4. Two CD copies.